



**DEVELOPMENT SERVICES
PLANNING DIVISION**

The City of Morgantown

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September 12, 2014

CA Student Living
c/o Lisa Mardis
Project Management Services
160 Fayette Street
Morgantown, WV 26505

**RE: S14-07-III / CA Student Living / 494 Spruce Street
Tax Map 26, Parcels 245 and 246**

Dear Ms. Mardis:

This letter is to notify you of the decision made by the Planning Commission concerning the above referenced Development of Significant Impact Site Plan petition for the redevelopment of the VFW Post 548 site at 494 Spruce Street.

The decision is as follows:

Planning Commission, September 11, 2014

Case No. S14-07-III was approved with the following conditions:

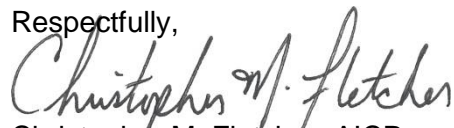
1. That minor subdivision petition Case No. MNS14-05 combining Parcels 245 and 246 of Tax Map 26 must be approved and final plat recorded prior to issuance of the certificate of occupancy.
2. That Variance Case No. V14-24 must be approved by the Board of Zoning Appeals (BZA) and all related conditions therein observed and/or addressed accordingly.
3. That access permitting from the West Virginia Division of Highways must be obtained; provided, said approval does not alter the arrangement of driveway locations and/or designs illustrated on the site plans reviewed and approved herein. Should access permitting alter the arrangement of said driveway locations and/or designs, than Planning Commission review and approval must be obtained prior to the issuance of any building permit for the site.
4. That the developer shall continue to consult with the Downtown Design Review Committee and accordingly address the Committee's comments and concerns where practicable.
5. That the final Landscape Plan and Erosion Control Plan be submitted with the building permit application for review and approval. Variance approval must be obtained should said plans not conform to the related performance standards set forth in the City's Planning and Zoning Code.

6. That the specific land use for the 4,042 square feet retail/commercial/office space at-grade with Spruce Street must conform to Table 1331.05.01 "Permitted Land Uses" and supplemental regulations thereto.
7. That a master Signage Plan must be submitted and reviewed under the standard building permit application process once nonresidential uses are identified. Variance approval must be obtained should the master Signage Plan not conform to related performance standards set forth in the City's Planning and Zoning Code.
8. That the development must meet all applicable federal Fair Housing and Americans with Disabilities Act standards as determined by the City's Chief Building Code Official.
9. That public sidewalks along the development site's Spruce Street and Willey Street frontages shall be reconstructed to the satisfaction of the City Engineer and, where practicable, incorporate design elements utilized in the High Street streetscape improvement projects and the planned Walnut Street streetscape improvement project.
10. That, as proposed by the petitioner, above ground utility facilities along the development site's Spruce Street and Willey Street frontages must be relocated underground; provided all affected utilities, the West Virginia Division of Highways, and the City Engineer approve development plans for same.
11. That the developer shall consult with the City Engineer in providing public trash receptacle(s) and bench(es) near retail entrance(s) that match existing facilities within the downtown; provided said street furniture does not reduce the width or obstruct public sidewalks.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days. Any work done relating to decisions rendered by the Planning Commission during this thirty-day period is at the sole financial risk of the petitioner.

Should you have any questions or require further clarification, please contact the undersigned. We look forward to serving your development review and approval needs.

Respectfully,

A handwritten signature in black ink that reads "Christopher M. Fletcher". The signature is written in a cursive, flowing style.

Christopher M. Fletcher, AICP
Director of Development Services